

PATENT

Attorney Docket No. 36180-102911
Client Reference: TYDS:205664546

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Confirmation No. 5258

Walsh et al.

Group Art Unit: 1641

Application No. 10/570,836

Examiner: Lisa V. Cook

Filed: December 13, 2006

For: ASSAY FOR DIABETES

INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.97 and 1.98, the references listed on the enclosed Form PTO-1449 and/or Substitute Form PTO-1449 ("Form 1449") are submitted for consideration by the Examiner in the examination of the above-identified patent application.

The full consideration of the references in their entirety by the Examiner is respectfully requested and encouraged. Also, it is respectfully requested that the references be entered into the record of the present application and that the Examiner place his or her initials in the appropriate area on the enclosed Form 1449, thereby indicating the Examiner's consideration of each of the references.

Further, the submission of the references is not to be taken as a concession that any reference represents art that is relevant or analogous to the claimed invention. Accordingly, the right to argue that any reference is not properly within the scope of prior art relevant to an examination of the claims in the above-identified application is also expressly reserved.

The Information Disclosure Statement is being filed:

- within** any one of the following time periods: (a) within three months of the filing date of a national application other than a continued prosecution application under 37 CFR 1.53(d); (b) within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 of an international application; (c) before the mailing date of a first Office Action on the merits; or (d) before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.
- after** (a), (b), (c) or (d) above, but before the mailing date of a final action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an action that otherwise closes prosecution in the application, and includes *one* of:

- the Statement under 37 CFR 1.97(e) (see "Statement under 37 CFR 1.97(e)" below).
- or*
- the fee of \$180 set forth in 37 CFR 1.17(p) (see "Fees" below).
- after** the mailing date of a final action under 37 CFR 1.113 or a Notice of Allowance under 37 CFR 1.311, or an action that otherwise closes prosecution in the application, and on or before payment of the issue fee, and includes the Statement under 37 CFR 1.97(e) (see "Statement under 37 CFR 1.97(e)" below), and the fee of \$180 as set forth in 37 CFR 1.17(p) (see "Fees" below).
- after** the mailing date of a Notice of Allowance under 37 CFR 1.311, and on or before payment of the issue fee, and **within** thirty days of receiving each item of information contained in the Information Disclosure Statement, and includes the Statement under 37 CFR 1.704(d) (see "Statement under 37 CFR 1.704(d)" below), and the fee of \$180 as set forth in 37 CFR 1.17(p) (see "Fees" below).
- NOTE: This is for original applications except applications for a design patent, filed on or after May 29, 2000, wherein a paper containing only an Information Disclosure Statement in compliance with 37 CFR 1.97 and 1.98 is being filed.

Copies of the References

- Copies of all non-patent literature and foreign patent references listed on the enclosed Form 1449 are enclosed herewith.
- Attached to each reference not in the English language is a concise explanation of the relevance pursuant to 37 CFR 1.98(a)(3). An English-language equivalent/patent, or an English-language abstract, or an English-language version of the search report or action by a foreign patent office in a counterpart foreign application indicating the degree of relevance found by the foreign office is being submitted in lieu of a concise explanation of the relevance pursuant to 37 CFR 1.98(a)(3).
- A copy of the Supplementary European Search Report is enclosed herewith.

Fees

- No fee** is owed by the applicant(s).
- The **IDS Fee of \$180** under 37 CFR 1.17(p) is enclosed herewith.

Method of Payment of Fees

- Charge Deposit Account No. 12-0913 in the amount of \$

In re Application of Walsh et al.
Application No. 10/570,836

Authorization to Charge Additional Fees

- If any additional fees are owed in connection with this communication, please charge
Deposit Account No. 12-0913.

Respectfully submitted,



Alice O. Martin, Reg. No. 35,601
BARNES & THORNBURG LLP
P.O. Box 2786
Chicago, Illinois 60690-2786
(312) 357-1313 (telephone)
(312) 759-5646 (facsimile)

Date: August 17, 2007

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CERTIFICATION UNDER 37 CFR 1.8

I hereby certify that this INFORMATION DISCLOSURE STATEMENT (along with any documents referred to as being attached or enclosed) is being electronically filed via EFS WEB addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Date: August 17, 2007



S. Mitchell Donaldson

Please type a plus sign (+) inside this box →

Substitute for FORM 1449A/B/PTO		Complete if Known
INFORMATION DISCLOSURE STATEMENT BY APPLICANT		Application Number: 10/570,836
		Filing Date: December 13, 2006
		First Named Inventor: Bradley John Walsh
		Group Art Unit: 1641
		Confirmation Number: 5258
		Examiner Name: Lisa V. Cook
(Use as many sheets as necessary)		Attorney Docket Number: 36180-102911
Sheet 1 of 1		

U.S. PATENT DOCUMENTS						
		U.S. Patent Document				
Examiner Initials	Doc. No.	Application or Patent Number	Kind Code	Name of Patentee or Applicant	Date of Publication	Filing Date If Appropriate

FOREIGN PATENT DOCUMENTS							
		Foreign Patent Document					Translation
Examiner Initials	Doc. No.	Office	Application or Patent Number	Kind Code	Name of Patentee or Applicant	Date of Publication	Yes

OTHER - NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Doc. No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number (s), publisher, city and/or country where published.	Translation
			Yes No**+
	A C	Ito et al., "A Radioimmunoassay for Urinary Alpha-2-Macroglobulin," <i>Tohoku J. Exp. Med.</i> , 176: 137-147 (1995).	
	A D	Oh et al., "Proteomics of Normal Human and Prostate Cancer Urines, FASEB Journal. FASEB Meeting on Experimental Biology: Translating the Genome; San Diego, CA, USA," 17: Abstract No. 759.7 (2003).	
	A E	Sottrup-Jensen et al., "Primary Structure of Human Alpha-2-Macroglobulin," <i>The Journal of Biological Chemistry</i> , 259 (12): 8318-8327 (1984).	
	A F	Sphar et al., "Towards Defining the Urinary Proteome Using Liquid Chromatography-Tandem Mass Spectrometry I. Profiling an Unfractionated Tryptic Digest," <i>Proteomics</i> , 1: 93-107 (2001).	
	A G	Tencer et al., "Proteinuria Selectivity Index Based upon Alpha-2-Macroglobulin or IgM Is Superior to the IgG Based Index in Differentiating Glomerular Diseases," <i>Kidney International</i> , 54: 2098-2105 (1998).	
	A H	Supplementary European Search Report from EP 04 76 1239 (2007).	

CHDS01 AMARTIN 413673v1

EXAMINER _____ DATE CONSIDERED _____

* A concise statement of relevance is being submitted in lieu of a translation. 37 CFR 1.98(a)(3).

+ An English-language equivalent/patent, or an English-language abstract, or an English-language version of the search report or action by a foreign patent office in a counterpart foreign application indicating the degree of relevance found by the foreign office is being submitted in lieu of a concise explanation of relevance under 37 CFR 1.98(a)(3).